

Docket No. 22338-00444
U.S. Patent Application No. 10/617,573
Response to Restriction and Amendment

REMARKS


Claims 1-60 are pending in the application. The Examiner has imposed a restriction under 35 U.S.C. §121 and is requiring an election between Groups I-XXIV set forth in the Office Action as well as an election of one of the polypeptides of SEQ ID NOS: 2, 4, 6, 8, 10, 12, 14, 16, and 18. See, pages 2 to 4 and 7 of the January 31, 2006 Office Action.

Applicant hereby elects to prosecute the subject matter of Group XIX directed to the polypeptide of SEQ ID NO:6 (PRO10272). Applicant expressly reserves the right, under 35 U.S.C. § 121, to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

By the amendment, claims 1 to 60 as originally filed are being cancelled without disclaimer or prejudice. New claims 61 to 83 are being added by the amendment and are supported by the specification. Accordingly, no new matter has been added. See, e.g., Examples 22, 28, 30 and 35, SEQ ID NOS:5 and 6, Figures 5, 6, 33, 34, and 46 and pages 5, 6, 10, 14, 15, 27, 31 and 34.

Any fee required by this the filing of this amendment and response and not submitted herewith should be charged to Deposit Account No. 18-1260, referencing Docket No. 22338-00444. Any refund should be credited to the same account.

Respectfully submitted,



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